



27 SEP 2006

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. Box 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

Bruce E. Black, Ph.D.
DARBY & DARBY P.C.
P.O. Box 5257
New York, NY 10150-5257

In re Application of: Davis	:	
Application No.: 10/590,640	:	
PCT Application No.: PCT/US02/21860	:	DECISION ON PETITION
Int. Filing Date: 26 June 2002	:	UNDER 37 CFR 1.137(b)
Priority Date Claimed: 27 June 2001	:	
Attorney Docket No.: 20386/0205092-US0	:	
For: Modular Micro-Reactor Architecture and	:	
Method for Fluid Processing Devices	:	

This is in response to Applicant's "Petition for Revival of an International Application for Patent Designating the U.S. Abandoned Unintentionally under 37 CFR 1.137(b)" filed 23 August 2006.

BACKGROUND

On 26 June 2002, Applicant filed international application PCT/US02/21860, which claimed a priority of a provisional US application filed on 27 June 2001. The thirty-month period for paying the basic national fee in the United States expired at midnight on 27 December 2003.

International application PCT/US02/21860 became abandoned as to the United States for failure to timely pay the basic national fee.

On 23 August 2006, applicant filed the present petition under 37 CFR 1.137(b).

DISCUSSION

A petition to revive an abandoned application under 37 CFR 1.137(b) must be filed without intentional delay from the time the application became abandoned and/or

applicant first became aware of the abandoned status of the application. A petition under 37 CFR 1.137(b) must be accompanied by (1) the required reply, (2) the petition as set forth in 37 CFR 1.17(m), (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition was unintentional, and (4) a terminal disclaimer and fee (if the international application was filed prior to June 8, 1995).

With regard to Item (1), applicant has provided the required reply under 35 U.S.C. 371 as the petition is accompanied by payment of the basic national fee.

With regard to Item (2), the appropriate small entity petition fee of \$750 as required by 37 CFR 1.17(m) has been paid.

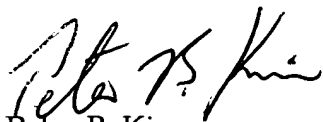
With regard to Item (3), Applicant's statement that "[t]he entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional" has been satisfied.

With regard to Item (4), a terminal disclaimer is not required since this application was filed after 08 June 1995.

CONCLUSION

For the reasons above, the petition to revive the international application abandoned under 37 CFR 1.137(b) is **GRANTED** as to the National Stage in the United States of America, and will be processed, under 35 U.S.C. 371, as application number 10/590,640.

Application number 10/590,640 is being forwarded to the National Stage Processing Division of the Office of PCT Operations for further processing in accordance with this decision including mailing of a Notification of Missing Requirements (Form PCT/DO/EO/905), indicating that an oath or declaration, in compliance with 37 CFR 1.497(a) and (b), and a surcharge for filing the oath or declaration after the thirty-month period, is required.

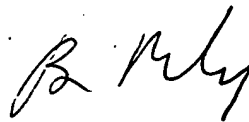


Peter B. Kim

PCT Legal Administration Detailee

Telephone: 571-272-6095

Facsimile: 571-273-0459



Boris Milef

Legal Examiner

Office of PCT Legal Administration